

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH WAYNE SMITH,

Defendant.

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8:19CR231

ORDER

This matter is before the court on the defendant's unopposed Motion to Continue Trial [29]. Counsel has a scheduling conflict and needs additional time to discuss a potential resolution to the matter. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [29] is granted, as follows:

1. The jury trial, now set for January 21, 2020 is continued to **February 24, 2020**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 24, 2020**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED: January 6, 2020.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**